

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM HARRIS,)	
)	
Plaintiff,)	Civil Action No. 05-279
)	
v.)	Judge Terrence F. McVerry/
)	Magistrate Judge Lisa Pupo Lenihan
Dr. MICHAEL JOSEPH HERBIK, ROBERT)	
TRETNIK, R.N, CHCA, NEAL MECHLING,)	
Superintendent, CAROL SCIRE, Superintendent)	
Assistant, DARLENE LINDERMAN, Mailroom)	
Supervisor, CHARLES MARTIN, Security)	
Lieutenant, and LINDA D. HARRIS, Deputy)	
Superintendent,)	
)	
Defendants)	

MEMORANDUM ORDER

An *in forma pauperis* application in the above-captioned prisoner civil rights case was received by the Clerk of Court on March 3, 2005, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (doc. no. 80), filed on November 21, 2007, recommended that Defendants' Motions for Summary Judgement (doc. nos. 63 and 66) be granted. Plaintiff filed Objections to the Report and Recommendation on December 6, 2007 (doc. no. 81).

After *de novo* review of the pleadings and the documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

AND NOW, this 20th day of December, 2007;

IT IS HEREBY ORDERED that Defendants' Motions for Summary Judgement (doc. nos. 63 and 66) be **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no.80) filed on November 21, 2007, by Magistrate Judge Lenihan, is adopted as the Opinion of the court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

BY THE COURT:

s Terence F. McVerry
United States District Judge

cc: Honorable Lisa Pupo Lenihan
United States Magistrate Judge

William Harris
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